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Multi-Year Flex Account Program Application Deadline Approaching

The July 15 application filing deadline is fast approaching for the revised Multi-Year Flex Account (MYFA) program, which allows holders of vested or certified groundwater rights to manage their water right over a five-year period. The [Kansas Department of Agriculture's \(KDA\) Division of Water Resources \(DWR\)](#) is accepting applications from those who filed drought emergency term permits in 2011 and now wish to convert to the new program at a reduced filing fee or for those who did not file drought emergency term permits last year and wish to avoid enforcement for their 2011 overuse.

The MYFA program, as revised by the 2012 Kansas Legislature, allows water right holders to obtain a five-year term permit that temporarily replaces their water right. This term permit allows the water right holder to exceed their annual authorized quantity in any year but restricts total pumping over the five-year period. Pumping for the five-year period is limited to a maximum of five times the larger of the water right's average water use or the water right's maximum reported acres multiplied by the county's net irrigation requirement for corn. DWR Chief Engineer David Barfield said at the end of the five-year period, if not extended by filing a new MYFA application, the operation of the water right returns back to the original water right conditions.

“This program is voluntary and does not change the underlying water right,” Barfield said. “We believe the revisions will improve multi-year management of water rights and help improve use of the state's water supply. Giving agricultural producers more flexibility with their water rights will enable them to use less water in some years, conserving it to be used later.”

KDA's DWR has also revised its MYFA application form and other program refinements, which is intended to streamline the filing process and clarify program provisions. The new application is available [online](#) as well as at the KDA DWR field offices and at the offices of the state's five Groundwater Management Districts (GMDs). Assistance completing the application is also available at each of these locations.

MYFAs will be considered in all Intensive Groundwater Use Control Areas (IGUCAs), except the Walnut Creek IGUCA, the Lower Smoky Hill River IGUCA and the Arkansas River IGUCA above Garden City.

The July 15 deadline is set by statute and cannot be waived. Additionally, separate applications must be filed for each point of diversion authorized by the water right before the deadline.

More details about MYFAs, recent program refinements, including the revised application form, can be obtained at <http://www.ksda.gov/appropriation/?cid=297>.

Water right holders should also contact their DWR field office or local GMD office for more details and assistance in evaluating their options and completing the application.